

**DRAFT 10-29-13.2**

**WYOMING GAME AND FISH COMMISSION**

**CHAPTER 55**

**ABANDONMENT OF MEAT AT MEAT PROCESSING PLANTS**

**Section 1. Authority.** These regulations are promulgated by authority of W.S. §23-1-302(xvi)(xxii) and W.S. §23-3-303.

~~**Section 2. Regulation and Effective Date.** The Wyoming Game and Fish Commission hereby adopts the following regulation governing the abandonment of meat at meat processing plants. This regulation shall remain in effect until modified or rescinded by the Commission.~~

~~**Section 32. Definitions.** For the purpose of this regulation, definitions~~**Definitions** shall be as set forth in Title 23, Wyoming Statutes, **Commission regulations**, and the Commission also adopts the following definitions:

- (a) "Meat" shall mean meat from a big game animal or game bird.
- (b) "Meat processing plant" shall mean a custom meat processor or custom game processor licensed by the state of Wyoming in accordance with W.S. §35-7-707.
- (c) "Last known mailing address" shall mean the address of the license holder who harvested the meat, or if no address is given to the meat processing plant, the address which appears on the license which was utilized to harvest the meat.
- (d) "Reasonable time" shall mean ten (10) calendar days following notification to enforcement personnel of the department.

~~**Section 43. Responsibility of Meat Processing Plant and Owner of Meat.** When a No person shall leaves meat from a big game animal or game bird at a meat processing plant for more than forty-five (45) days, it shall be prima facie evidence of a violation of W.S. §23-3-303 if the owner or operator in charge of the meat processing plant has taken actions as outlined in subsection (a) and the owner of the meat has failed to take action as outlined in subsection (b), and/or the action in subsection (c) has been documented by the owner or operator in charge of the meat processing plant.~~

(a) Following the expiration of the forty-five (45) day period in this section, the owner or operator in charge of the meat processing plant ~~has sent~~shall send by first class mail a notice to the last known mailing address of the license holder who harvested the meat. The notice shall state that the meat must be removed from the meat processing plant within ten (10) calendar days following the postmarked date on the envelope containing the notice. The owner or operator in charge of the meat processing plant ~~must~~shall maintain a written record indicating the date the notice was postmarked, to whom the notice was mailed and the address to which the notice was mailed.

(b) The owner of the meat ~~has failed to~~shall remove the meat from the meat processing plant within ten (10) calendar days following the date the written notification from the meat processing plant was postmarked.

(c) ~~If the~~ letter sent by the owner or operator in charge of the meat processing plant to the last known mailing address of the owner of the meat is returned as undeliverable, ~~the~~ owner or operator in charge of the meat processing plant ~~must~~shall maintain the returned letter indicating it was undeliverable.

**Section 54. Notification to the Department.** The owner or operator in charge of the meat processing plant shall immediately report to enforcement personnel of the Wyoming Game and Fish Department when meat has been left for more than forty-five (45) days at the meat processing plant and when the meat has not been picked up as provided in this regulation.

**Section 65. Disposal of Abandoned Meat.** Disposal of abandoned meat from big game or game birds shall be as set forth in W.S. §23-3-303(c).

~~\_\_\_\_\_ (a) The owner or operator in charge of the meat processing plant is entitled to the proceeds of sale of any meat confiscated under this regulation up to the amount of reasonable processing or storage charges following a conviction under W.S. §23-3-303(c) or following a reasonable time after the violation is reported by the owner or operator in charge of the meat processing plant to enforcement personnel of the Wyoming Game and Fish Department.~~

~~\_\_\_\_\_ (b) If the Wyoming Game and Fish Department has been unsuccessful in selling the confiscated meat within thirty (30) days following the reported violation; the department may dispose of the meat as it deems appropriate.~~

~~\_\_\_\_\_ **Section 7. Violation of Commission Regulations.** Failure to abide by the provisions of this regulation shall be punishable as provided by Wyoming statutes for violations of Commission regulations.~~

~~\_\_\_\_\_ **Section 8. Savings Clause.** If any provision of these regulations is held to be alleged or unconstitutional, such a ruling shall not affect other provisions of these regulations which can be given effect without the illegal or unconstitutional provision; and, to this end, the provisions of the regulations are severable.~~

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WYOMING GAME AND FISH COMMISSION

By: \_\_\_\_\_  
Mike HunzieMike Healy, President

Date: ~~March 24, 1997~~January 22, 2014